

City of High Point- Code of Ordinances

ARTICLE O Parades

Editor's note: Section 1 of Ord. No. 91-55, adopted Sep. 5, 1991, repealed §§ 10-1-271--10-1-276 and added §§ 10-1-271--10-1-283 as herein set out. Former §§ 10-1-271--10-1-276 pertained to **parades** and derived from the 1982 Code.

Sec. 10-1-271 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *City* is the City of High Point, North Carolina.
 - (2) *City manager* is the person selected and appointed by the city council to fill the position of city manager for the city.
 - (3) *Dangerous weapon* means any device designed or capable of being used to inflict serious injury upon person, persons, or property, including but not limited to firearms, knives of any kind or any type having a blade in excess of three (3) inches in length, razors and razor blades, metallic knuckles, clubs, blackjacks and night sticks, dynamite cartridges, bombs, grenades, mines and other powerful explosives, and loaded canes.
 - (4) **Parade** is any **parade**, march, ceremony, pageant, or procession of any kind moving in or upon any public street, way, highway, road, parkway, or sidewalk or other public place owned or under the control of the city; except funeral processions supervised by a licensed mortuary.
 - (5) **Parade permit** means a written authorization as required by this article.
 - (6) *Person* is any person, firm, partnership, association, corporation, company, or organization of any kind.
 - (7) *Waiver agreement* is an agreement to be signed by the applicant and filed with the city manager. The waiver releases and saves harmless the City of High Point and its employees for any claims, actions, and lawsuits arising out of the conduct of the **parade**, excepting injuries or damages proximately caused by the city.
 - (8) *Working day* is a weekday, Monday through Friday inclusive, does not include weekends (Saturday or Sunday) and does not include any day that city hall is closed to the public for holidays, inclement weather or the like.
- (Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-272 Permit required.

No person shall engage or participate in, aid, form, or start any **parade** unless a **parade** permit shall have been obtained from the city manager. Provided that no person may conduct or otherwise participate in any **parade** except between the hours of 9:00 a.m. and 9:00 p.m.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-273 Application.

- (a) *Application for Permit.* A person seeking the issuance of a **parade** permit shall file a written application with the city clerk. The city clerk must transmit the application to the city manager within two (2) working days of the date of the application.
- (b) *Filing Period.* An application for a **parade** permit shall be filed with the city clerk not less than three (3) working days before the date on which the **parade** is to be conducted.

(c) *Fee.* A non-refundable fee of \$10.00 shall be paid by the person applying for the **parade** permit at the time of application to cover expenses incidental to processing of the application.

(d) *Contents.* The application shall be signed by the applicant and notarized, and shall include, but not be limited to the following:

(1) The name, address and telephone number of the person seeking to conduct the **parade**.

(2) If the **parade** is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization, and of the authorized and responsible head of such organization.

(3) The name, address, and telephone number of the person who will be the **parade** chairman and who will be responsible for its conduct.

(4) The date when the **parade** is to be conducted.

(5) The route to be traveled, the starting point, and the termination point.

(6) The approximate number of persons, animals, and vehicles participating in the **parade**; the type of animals and a description of the vehicles.

(7) The hours when the **parade** will start and terminate.

(8) A statement as to whether the **parade** will occupy all or only a portion of the width of the streets proposed to be traversed.

(9) The location by streets of any assembly areas for the **parade**.

(10) The time when units of the **parade** will begin to assemble at any such assembly area or areas.

(11) If the **parade** is to be sponsored by, or on behalf of any person other than the applicant, the applicant for such permit shall file with the application, a written authorization from the person proposing to hold the **parade** authorizing the applicant to apply for the permit on his or her behalf.

(12) The person or persons to be in charge of the activity and who will accompany it, shall carry the permit at all times.

(13) Any additional information which the city manager shall find reasonably necessary to a fair determination as to whether a permit should be issued.

Failure to comply with the requirements as set forth in this article and in the permit shall result in the permit being deemed null and void and immediate revocation by the city manager or his designee.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-274 Standards for issuance.

The city manager shall issue a permit for the proposed **parade** unless he finds that:

(1) The safe conduct of the **parade** will substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(2) The conduct of the **parade** will require the diversion of so great a number of law enforcement personnel of the city to properly police the line of movement of the **parade** and of contiguous areas that adequate police protection cannot be provided to the remainder of the city;

(3) The conduct of the **parade** will require the diversion of so great a number of ambulances and rescue units that adequate ambulance and rescue service to portions of the city and contiguous areas not occupied by the **parade** will be impeded;

(4) The concentration of persons, animals, and vehicles at assembly points of the **parade** will substantially interfere with adequate police and fire protection of, or ambulance and rescue service to, areas contiguous to such assembly areas;

(5) The **parade** is to be held for the primary purpose of advertising a product, goods, or an event, and is designed to be held primarily for private profit or gain; or
(6) The conduct of the **parade** will interfere with the movement of firefighting equipment to such an extent that adequate fire protection cannot be provided to the city.
Upon issuance of a **parade** permit, a copy shall be sent to the police chief, fire chief, and the director of transportation. The city manager shall have the authority to revoke a **parade** permit issued hereunder upon violation of the standards for issuance as herein set forth.
(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-275 Notice of action on permit application; appeal procedure.

(a) The city manager shall act upon the application as expeditiously as reasonably possible, and within 72 hours, notifying the applicant in writing of his decision. The notice shall also inform the applicant of the appeal procedure available under subsection (b) of this section and the conference available under section 10-1-276 for an alternative permit.

(b) Any person aggrieved shall have the right to appeal the denial of a **parade** permit to the city council, and the city council shall hear the appeal at its first regularly scheduled meeting after receipt of the appeal.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-276 Alternative permit.

If the city manager denies an application for a **parade** permit based upon one (1) or more of the findings prescribed in section 10-1-274, the city manager or his designee shall, upon the request of the applicant, confer with applicant for the purpose of trying to negotiate modifications to the planned **parade** that will eliminate the objections found under section 10-1-274. The city manager is authorized to grant an alternative permit specifying a date, time, or route different from that contained in the application. The alternative permit is valid only upon the filing by the applicant with the city manager or his designee written acceptance of the alternative permit. An alternative permit is void if not accepted in the manner prescribed in this section within three (3) working days after its issuance. An alternative permit shall conform to the requirements of and shall have the effect of a **parade** permit under this article.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-277 Duties of permittee.

A permittee hereunder shall comply with all permit directions and conditions, and with applicable laws and ordinances.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-278 Duty of **parade** chairman.

The person designated in the application as responsible for the physical conduct of the **parade** shall be responsible for monitoring the conduct of the participants in the **parade**. Upon actual notice of any violation, given to the responsible person by a law enforcement officer on the scene of said **parade**, such person shall make immediate bona fide attempts to correct the violation. It shall be unlawful for such responsible person to refuse to make such bona fide attempts to correct the violation.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-279 Conduct during the parade.

(a) *Interference.* No person shall unreasonably hamper, obstruct, or impede, or interfere with any parade or parade assembly or with any person, vehicle, or animal participating or used in the parade.

(b) *Driving Through Parades.* No driver of any vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

(c) *Parade or Parade Route.* The city manager shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or highway or part thereof constituting a part of the route of a parade. The city manager shall cause signs to be posted to this effect, and it shall be unlawful for any person to park or leave unattended, any vehicle in violation thereof.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-280 Dangerous weapons.

No dangerous weapon of any kind, may be possessed either exposed or concealed by any participant in the parade, or by any person affiliated with and present at the parade, or any person upon any street, sidewalk or other public place within 500 feet of the parade. This section shall not apply to the following persons while acting lawfully and within the scope of their duties and authority:

(1) Law enforcement officers.

(2) Officers and soldiers of the armed forces, militia, and national guard.

(3) Students of military science in an accredited program.

(4) Park rangers and animal control officers.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-281 Hand-carried signs.

No sign or poster carried by hand in the parade shall be of greater density than eight (8) ply .030 thickness cardboard. No support for such sign or poster shall be of a metallic substance nor thicker than one (1) by three-fourth (3/4) inches.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-282 Parade route.

Every parade shall follow the route designated and approved by the city manager and prescribed on the parade permit.

(Ord. No. 91-55, § 1, 9-5-91)

Sec. 10-1-283 Severability.

If any part, subsection, paragraph, sentence, clause, phrase or word of this section shall be held to be void, invalid, or unconstitutional by a valid judgment or decree of court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this section and such remaining portions shall remain in full force and effect.

(Ord. No. 91-55, § 1, 9-5-91)

Secs. 10-1-284 through 10-1-290 reserved.